

not numbered except that she had "never kept a minute book before."

Maryn Scudder said she had been accountant twenty years and served the Armstrong Insurance Committee and the Pulo Finance Committee. He was familiar, he said, with the peculiarities of typewriting and typewriter ribbons.

Q. You took yesterday morning, did you not, from the court house what purported to be the book of minutes of the Builders' Supply Bureau? A. Yes, sir.

Q. Is the book one that has been bound and sewed together, or is it just a receptacle, or cover for loose minutes that are tacked into it? A. The latter.

POSSIBLE TO SUBSTITUTE NEW LEAVES.

Q. Is the book so constructed that you can pull out the minutes? A. Yes.

Q. And substitute others? A. Yes, sir.

Q. Look at the book of minutes of meetings between Feb. 15, 1920, and Nov. 4, 1920—how many alleged meetings were there during that time? A. About thirty-six.

Q. Have you examined the typewriting of the minutes between the dates stated? A. I have.

Q. From that examination can you say whether or not all those minutes were written at one time? A. I should say they were.

Q. Then they must have been written not earlier than Nov. 4, 1920?

Q. If they were all written at one time, and they contained minutes of the meeting of Nov. 4? A. That is true. It must have been.

Q. Give us the reason for your opinion that those minutes were all written at one time? A. They are written on a fresh ribbon and they are all uniform.

Mr. Scudder read a memorandum of eight instances in which pages of heavy typewriting, sometimes covering the minutes of three successive months, were sandwiched between long series of minutes in lighter typewriting.

TELL-TALE EVIDENCE OF TAMPERING.

Q. What does this situation indicate that you have described? A. It indicates to me that the typewriting that is heavy was all written at the same time.

Q. You think these are substituted minutes, but they were all put in at one time? A. As to the meetings from Feb. 12 up to Nov. 4, there is no question in my mind they were written at one time.

Joseph Penny took the stand when called from the side of Mr. Conboy.

Q. I think you said you have had supervision over the minutes of the Builders' Supply Bureau? A. Yes, I was supposed to have them. I did not have them in my possession any of the time.

Q. Look at the minute book from February, 1920, up to Nov. 4, 1920, and tell us whether or not they were written at the same time. A. To the best of my knowledge they were inserted on the day they were made immediately after each meeting.

Q. Do you testify that these minutes written in typewriting there were not written at the same time? A. Yes, I do. I am sure they were not.

Q. So the responsibility, if any, for that you put upon Miss O'Dea, do you?

Mr. Conboy—I object to that statement.

The Chairman—No, you will have to stand with your client outside.

Q. You also put upon her the responsibility for the destruction of the book, didn't you? A. No.

Q. K. Hammond, brick manufacturer in Dutchess County, was recalled. He testified yesterday.

Mr. Hammond said the Eden Brick and Supply Company was not admitted to the Association of Dealers in Mason Building Materials because of fear of the District Attorney's action on the testimony at a hearing of the Mayor's Housing Committee in 1918.

The Greater New York Brick Company, he said, handled 50 per cent of the brick sold by manufacturers in this city.

Frank L. Hoffman, sales agent for the Greater New York Brick Company, one of the three concerns that are said to control the New York brick market, was next called to explain how the three concerns arrive at a uniform price for brick.

The first line of questioning by Mr. Scudder was regarding the organization of the company. The witness said that it was a combination of fourteen brick manufacturers on the Hudson River district and was organized on a commission basis.

The witness caused surprise when he told Mr. Scudder that the company did not keep any books to show the names of its customers, but only kept books to show who they had sold the brick for. This was in response to a question by Mr. Scudder as to whether the company sold brick to any one who was not a member of the Association of Dealers in Mason Building Materials.

The witness said that he knew nothing regarding the volume of business done by the company during the past year, although he is in sole charge of all the sales.

He said that he had sold to dealers out of the association and mentioned several names.

INTERPOLATED MINUTES WERE NOT SIGNED.

Accusant Scudder was recalled at the afternoon session to report on the minute book of the Association of Dealers in Mason Building Materials.

"The pages of this book are numbered," he said. "The numbers have been made with a machine. But a different colored ink was used to make the numbers of pages which have apparently been interpolated. The minutes on these apparently interpolated pages have not been signed. On all other pages the minutes have been signed."

Mr. Scudder picked out six pages he said had been interpolated.

Mr. Scudder testified that \$5,000 or one-fifth of the Builders' Supply Bureau's annual income was spent every year since 1916 and until now the return was "a firm of lawyers."

This return was not named.

Admiral J. T. S. Secretary of the Association of Dealers, went on the stand and swore the pages referred to by Mr. Scudder were substituted at the time they were dictated and typewritten because the original pages had been spoiled by the stenographer.

'A. E. F.' MAGAZINE DIRECTOR INDICTED ON FRAUD CHARGE

U. S. Asserts Veterans Got None of Funds Raised, but Brewer Banked \$53,000.

Through the indictment to-day by the Federal Grand Jury of William B. Brewer, who claimed to be director of the Ex-Servicemen's Co-operative League, with offices at No. 209 Canal Street, some interesting facts came to light in connection with the publication of the magazine "A. E. F., or Fun in France." Brewer was charged with using the mails for fraudulent purposes.

The magazine was sold by men in uniform on subway and elevated trains and elsewhere. Brewer claimed the proceeds were for ex-servicemen, especially the wounded. Not a cent of the proceeds went to any such, it was asserted to-day by Assistant Federal Attorney Mattuck.

Investigation proved, Mr. Mattuck said, that the men who sold the magazine kept 10 cents of the 25 cents received for each magazine, turning the remainder over to Brewer. Within a short time, Mr. Mattuck said, Brewer deposited \$53,000 in the Columbia Bank in the name of a woman employee.

Letters inclosing copies of the magazine were sent to many prominent men, including President Wilson, Secretary of War Baker, Col. Arthur Woods and Calvin Coolidge. Among those named who contributed \$25 each were Spayer & Co., Bankers, United States Guaranty Company, G. R. Road & Co., real estate; the Mechanics & Metals Bank and the Philadelphia National Bank.

"The pages were renumbered with a machine we have in the office for billing," Treat said. "I know because the stenographer told me so at the time. It was the regular custom when a sheet was spoiled."

Treat denied that the minutes of meetings in which substitute pages appeared were the only minutes unsigned. He found one such set of minutes. He could not find another though he saw there were many.

The Association of Dealers in Mason Building Materials is the one in which John A. McCarthy, who was indicted with Charles F. Murphy, is a member.

WORK HERE UP ON ERECTION OF 250 HOUSES.

An entirely new phase of building graft was introduced into evidence yesterday by Anthony Brescia, a young mason contractor. It was particularly interesting because Brescia told how he was forced out of business at a time when he had in hand the foundation work of 250 two-family houses on University Avenue at 13 cents a square foot for setting the stone. Business Agent Mazzola, of the Stone Masons' Union, made it impossible for him to get union labor. Brescia refused to conform to the Stone Mason Contractors' scale of 35 cents a cubic foot for material and setting. On this scale Brescia should have charged about 25 cents for setting the stone.

Brescia said he joined the Stone Mason Contractors' Association, of which Nicholas Conforti was president, in order to get union labor. The initiation fee demanded by the association was \$1,500. Three contractors were initiated at the same time as Brescia. One of them cried, he said, and his initiation fee was reduced to \$300. Another was not bright enough to argue well with Conforti and had to pay \$900. Another paid \$450.

Brescia, in consideration of his acting as spokesman for the initiates, was let off for \$150.

Brescia said the association at its second meeting adopted a scale of 25 cents a cubic foot instead of 35 cents. Two cents of the ten cent increase were to be deposited to an association fund which was to be divided between Conforti and Mazzola, in consideration of Mazzola's aid in "pulling" union men from jobs of contractors who did not come to the association's terms.

RAKE-OFF \$1,000,000 A YEAR FOR "PULLING."

As each mason laid about 100 cubic feet a day, this meant a tribute of \$2 a day for every stone mason employed in the city. Brescia figured this would make a total of \$1,000,000 a year to be divided between Conforti and Mazzola. Brescia related. He compromised by paying Mazzola \$10 a week for the privilege of using four union laborers.

Mazzola after four weeks demanded more.

"Ten dollars a week does not pay for the gas for my car to come to collect this money," Brescia quoted Mazzola as saying.

Though Brescia did not know whether Local No. 74 was in the Building Trades Council, he did know that Mazzola and Robert P. Brindell were closely associated. He had seen them together.

Two indictments arising from revelations by the Lockwood Committee were handed up to Judge McAvoy to-day by William I. Spiegelberg, foreman of the Extraordinary Grand Jury. The jury was accompanied into court by Deputy Attorney General Samuel A. Berger and Assistant District Attorney Robert Johnston and Ferdinand Morton.

The names of the men indicted were not revealed, but it was stated that they are not among those already under indictment. They are expected to appear in court this afternoon and furnish bail.

Three held for attempted Pocket Picking.

Three men who got on the Twentieth Century Limited from the West at 12th Street were arrested when they reached the Grand Central Terminal to-day, charged with attempted pocket-picking. They were Sam Smith, No. 55 Mannin Street; Harry Frank, No. 48 East 10th Street; and Louis Herman, No. 273 East 7th Street. Each was held in \$1,000 bail in Yorkville Court.

FOR COLDS, CURE ON INFLUENZA. Take Grove's LAXATIVE BROWN QUIT. NINE tablets. The genuine bears the signature of Dr. J. C. Grove.

BACKER ON STAND IN OWN DEFENSE AT PERJURY TRIAL

Accused Contractor Tells of His Rise to Wealth From a Sailor.

George S. Backer, millionaire builder, being tried on a charge of perjury before Judge Rosinsky in General Sessions, to-day took the witness stand in his own defense. Backer said he was foreign-born and came to America in 1891. He has worked as a sailor, newspaper dealer, chandler dealer and real estate operator and lived in Chicago and Memphis, Tenn.

Robert P. Brindell was identified by a newspaper picture as one of three men with whom George Backer was talking shortly before Ephraim B. Levy gave Backer the first \$15,000 of the \$55,000 Backer told him was the price of having the strike called off his building, according to John W. Noble, a witness.

Noble, employed by Backer as a construction superintendent, called for the defense, testified that he had seen Backer talking with two mysterious strangers near the construction job. These, Edmund L. Mooney, counsel for the defense, said might be inference he taken as the "Mutt and Jeff" to whom Backer testified, before the Lockwood committee, he gave the money. This testimony was given when Backer admitted his story of losing the money at the race track was false.

Mr. Mooney produced the newspaper clipping, and Noble said he had seen the original of the picture standing across the street while Backer was talking with the two strangers. When cross-examined by Emory R. Buckner, special prosecutor, Noble said he saw Backer and the two strangers cross the street and talk to the man there. After this conversation, he said, the man drove away in an automobile.

James Fennimore, another superintendent employed by Backer, also told of seeing Backer talking with two men—one tall and one short.

Union iron workers on Ephraim Levy's building when Robert P. Brindell called a strike there, were replaced with "open shop" men after Levy paid him \$25,000 bribe through George S. Backer, Robert T. Brooks, iron contractor, testified.

Mr. Brooks, who is President of the George A. Tust Co. of Long Island City, had the \$200,000 iron contract on Levy's building. Under examination by Edmund L. Mooney, Backer's counsel, his testimony laid the ground work for a plea that Backer's handling of the \$25,000 bribe money saved Levy from financial disaster.

Mr. Brooks told of conversations with Backer and with Levy, who said the strain of carrying his enterprise under the strike was getting to be too much for him.

Backer told him "they want \$25,000 to settle the trouble." Brooks testified. He said Backer declared it was "dirty money," "disreputable practice," and threatened to drop the whole job.

Emory L. Buckner, Special Prosecutor, drew from Brooks the admission that "open shop" men replaced union iron workers after "some one paid money to somebody."

Walter Stader, Comptroller of the Metropolitan Life Insurance, and Monroe Douglas Robinson, banker, were character witnesses for Backer.

Henry H. Gibson, a real estate dealer, of No. 58 Clark Street, Brooklyn, testified he met Backer in the Hotel Chatham for luncheon on July 14, when Levy testified he paid the second installment to \$10,000. While waiting for Backer, Mr. Gibson said he saw him meet two men, shake hands with them and hand one an envelope or small package.

PERU STRONG FOR AMERICA.

Passenger Here on First Round Trip of New Ship Tells of Conditions.

The steamship Quipos of the Pacific Line completed her first round trip to South American ports when she arrived here to-day under command of Capt. Norman Martorelli, who during the war was skipper of the steamer Flameo when she was sunk by the German raider Moewe.

J. A. Digges, of San Antonio, Texas, a civil engineer, was a passenger. He was a witness of the public shooting at Laraz, capital of Bolivia, of Gen. Alvarado, and two revolutionary friends, he said.

Mr. Digges declared that England is giving weapons to Chili in order that she may have a strong ally in the South Pacific, but that Peru is strongly pro-American in sentiment.

TEACHERS ARGUE FOR PAY.

Joint Committee Begins Its Inquiry in Troy on Increases.

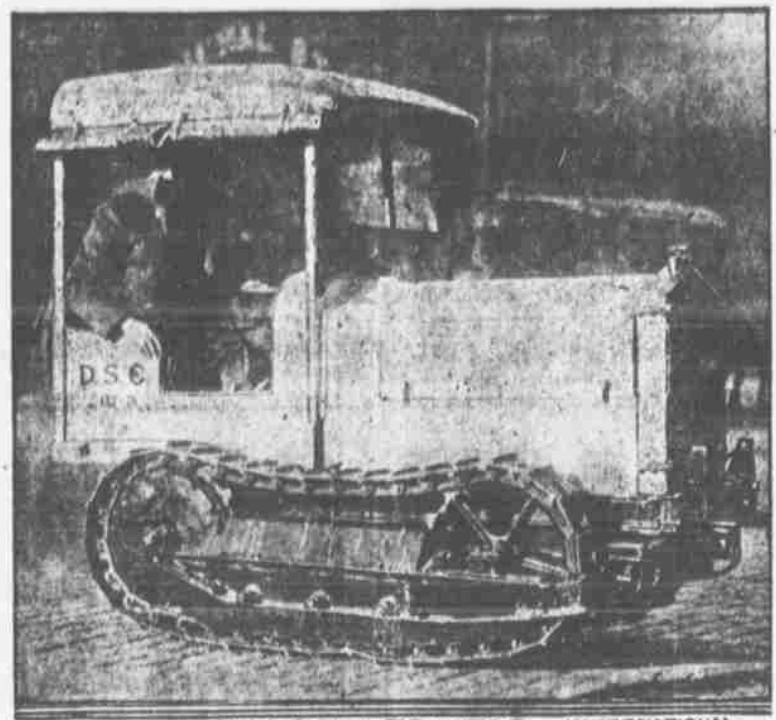
TROY, N. Y., Dec. 3.—The Joint Legislative Committee, headed by Senator John B. Mullin, of Rochester, and including four Senators and five Assemblymen, began their inquiry at Troy to-day into the matter of additional salaries for teachers and the methods of raising the necessary funds.

Teachers were heard from Albany, Troy, Glens Falls, Kingston, Riverhead, L. I. and Menands. They desire an increase in salaries in addition to that granted by the Legislature in 1920.

First Nine Prisoners Interred.

DUBLIN, Dec. 3.—The first group of Sinn Féin prisoners to be interned under the Government's recently announced plan left Dublin last night for Ballyvaughan, County Down, but the number was not made public. The Ballyvaughan camp is on the shore of Dundrum Bay and contains old hospital buildings which were used during the war.

Type of Snow-Fighting Tractors to Be Used by City This Winter.



Six of the 100 specially constructed machines, which have been ordered, arrived here to-day from Cleveland, O. It is expected that when all are in operation they will make short work of ridding the streets of the winter's snows.

LEAGUE'S BOYCOTT PLAN FORMULATED

Sub Commission Unanimous on Weapon Against Covenant-Breaking Nations.

GENEVA, Dec. 3 (Associated Press).—A definite plan for use of the economic blockade against members of the League breaking the Covenant was unanimously adopted to-day by the Sub-Commission on Blockade.

The members of the Commission expressed the belief that the plan would give the league a very effective weapon against offending members and do much to prevent serious international disputes from developing into actual wars.

Details of the plan will be published in a few days. A public session of the Armaments Commission will consider it.

SAYS LIQUOR MAN GAVE BRIBE

Brooklyn Dealer Held in \$5,000 by Judge Chaffield.

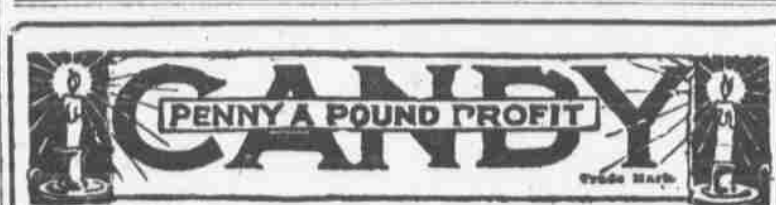
Many wholesale liquor dealers in this city with permits to sell to drug stores and physicians, according to Capt. Frank Frayer, chief of the Special U. S. Agents, have been seeking of late to bribe men of his staff so sales might be made to saloons. In order to stop this, Capt. Frayer instructed all his men to accept such bribes and report them.

Agent J. L. Pierce reported that he had received \$100 from Michael Pascale, who has a saloon at Heister and Mulberry Streets, Manhattan, and a wholesale warehouse at No. 141 Broadway, Brooklyn.

Pascale was held in \$5,000 bail to-day on a charge of bribery in Judge Chaffield's court, Brooklyn. Since Dec. 1, Capt. Frayer's men have arrested fourteen wholesalers, most of them for bribery.

Navy Drops Simplified Spelling.

BOSTON, Dec. 3.—Simplified spelling has been abolished in the navy by an order from Secretary Daniels, which was made public here to-day. The order rescinds one issued in 1906 providing for the use of "thru" for "through" and other simplified forms.



Churches, Sunday Schools, Public Institutions, Candy Committees and Donators!

30 POUNDS—For \$7.65 we will sell you 30 pounds of Very Excellent Candy, together with 60 Half-Pound Boxes, all put up in one case, ready for the \$7.65 Kiddies' Christmas tree. Come and get them.

Special for Friday & Saturday, Dec. 3d & 4th CHOCOLATE COVERED NUTTED ICE CREAMS—With richly flavored Cream fillings; topped off with tasty Nuts. A brand new corner to the LOFT special family and a palate thriller of real charm. SPECIAL. POUND BOX 24c

Other Week-End Attractions

MEXICAN PENOCHES—These are big slices of California Honey Nougat, pangled with luscious chopped Cherries, rolled in caramel and covered with Texas paper shell Pecan Nuts. This is one slice of our newest creations. POUND BOX \$1.00

Southern Parlines The celebrated Southern Sweets, made of pure browned Louisiana Cane Sugar and Pecan Nuts. Six in handsome, ly decorated box. Pkg. 50c

Super Assorted Chocolates or Bon Bons and Chocolates. Supreme in Quality, Variety and thorough candy excel. POUND BOX \$1.00

Our Two Big Week-End Extra Specials

High Grade Smooth Almonds Our regular 54c goods. Extra special. POUND BOX 49c

Milk Chocolate Caramellows Our regular 79c goods. Extra special. POUND BOX 69c

For exact location see telephone directory. The specified weight includes the container.

OPPOSES SHUT DOWN ON IMMIGRATION

Department of Labor Official Says Conditions Do Not Justify Clamor for It.

Hugh Reid, a member of the General Immigration Committee of the Department of Labor, was at Ellis Island to-day when Chairman Albert Johnson of the House Immigration Committee resumed investigation into conditions at the island. Mr. Reid said that statistics showed that there is not a surplus of unskilled labor in the United States.

"Out of the 3,000,000 who, it is said, want to come here from Italy," Mr. Reid stated, "only 1,000,000 probably will reach here. Thousands change their mind and thousands find that they haven't the means. Of the 8,000,000 Germans who want to come the number will be cut down to 2,000,000."

SAYS BERLIN GAVE NO FUNDS FOR MAIL

German Professor Tells of Rumely's Plans to 'Get Money' From U. S. Citizens.

In the trial of Dr. Edward A. Rumley on charges of concealing the German ownership of the New York Evening Mail, the defense to-day introduced a deposition made in Berlin by Prof. Von Gaervernitz to support the claim that the money sought for the purchase of the Mail was not German money, but the wealth of American citizens.

Prof. Von Gaervernitz disclosed what he said was a copy of a communication from Rumley saying New York papers were of greater value in shaping policy. Prof. Von Gaervernitz said he was "assured" that no German government money was available for the purchase of an American paper.

DEPUTY FIRE CHIEF HAS A CLOSE CALL

Tries to Stop Runaway Team and Truck Wheel Runs Over Heel of His Shoe.

Deputy Fire Chief Spencer, of Staten Island, escaped death or serious injury this afternoon when he fell in front of a runaway team he had sought to stop in Bay Street, St. George. One of the wheels of the heavy truck passed over the heel of his left shoe.

Spencer was on a municipal trolley car on the way to the ferry when the team, belonging to Gustav Petros, of 6, 15 Kossouth Place, Brooklyn, came tearing along in the wake of it. He realized that should the two collide, several of the passengers in the car might be severely injured, so he leaped off the front of the car and sprang for the "bride" as the team came abreast of him. His grasp failing, he fell and just managed to roll to safety. The team was stopped a few minutes later by Mounted Policeman Hogan.

FRANKLIN SIMON BOYS' SHOPS—FIFTH FLOOR



GIORDANO, the eminent Italian painter, surprised the art world when at the age of eight he painted a cherub into one his father's paintings

A Christmas Gift for Boys

Genuine All-Wool Western Lumber Camp Mackinaws

ONLY \$16.⁵⁰

GIVING a boy something that he has got to have anyway, seems like taking a mean advantage of his necessities, but a Mackinaw will at least come a little nearer to his liking than a book of poems, for it has that sturdy outdoors William S. Hart quality which appeals to boys. A coat of many colors, plaided over deep grounds, belted, pleated, stormproof, and stoutly made. Could be more, but couldn't be better.

Sizes 8 to 18 years

An Acceptable Christmas Gift

Boys' Leather Coats . . . \$24.50 to \$36.00

Franklin Simon & Co.

Fifth Avenue, 37th and 38th Streets

CHILDREN'S HAIRCUTTING SHOP—FIFTH FLOOR

Franklin Simon & Co.

Fifth Avenue, 37th and 38th Streets

SATURDAY

At Reductions of \$6.⁵⁰ to \$21.⁰⁰

WOMEN'S AND MISSES' HATS IN WINTER MODELS

For Daytime, Afternoon or Evening Wear

8.50

Regular Prices \$15.⁰⁰ to \$29.⁵⁰

Newest Winter Models

TO INTRODUCE THE HOLIDAY-TIME LOCATION OF THE TAILORED MILLINERY SHOP (USUALLY ON THE STREET FLOOR) TEMPORARILY NOW ON THE FIRST FLOOR.

Becoming winter hats of satin, velvet, duvetyne or felt, in the smartest colorings, ornamented with fur, metallic flowers or novelties, or soft ostrich effects.

NO EXCHANGES

NO CREDITS

TAILORED MILLINERY SHOP—First Floor